



Town Clerk  
Leonard J. Perfetti

# Town of Union

**Town Board**  
Richard A. Materese, *Supervisor*  
Thomas R. Augustini, *Councilman*  
Frank J. Bertoni, *Councilman*  
Sandra C. Bauman, *Councilwoman*  
Heather R. Staley, *Councilwoman*

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## TOWN OF UNION BOARD MEETING

July 13, 2022

The Regular Meeting of the Town Board of the Town of Union was held on Wednesday, July 13, 2022 at 7:00 P.M. in the Town Board Room, 3111 East Main Street, Endwell, New York.

BOARD MEMBERS PRESENT: Town Supervisor Richard A. Materese, Councilman Thomas R. Augustini, Councilman Frank J. Bertoni, Councilwoman Sandra C. Bauman, Councilwoman Heather R. Staley.

TOWN OFFICIALS PRESENT: Deputy Town Attorney Rosemarie Pope, Town Clerk Leonard J. Perfetti, Deputy Town Clerk Rebecca Kruczkowski.  
Absent: Town Attorney Alan J. Pope.

Also in attendance was Village of Endicott Mayor Linda Jackson and former Town Supervisor John Bernardo.

Supervisor Richard A. Materese opened the meeting with the Pledge of Allegiance to the Flag.

### PUBLIC HEARINGS:

A Public Hearing was called for on Wednesday, July 13, 2022 at 7:00 P.M. to receive comments relative to the CDBG FFY 2022-2023 Annual Action Plan.  
Published & Posted July 5-8, 2022

As no one wished to speak, Supervisor Richard A. Materese closed the first Public Hearing.

A Public Hearing was called for on Wednesday, July 13, 2022 at 7:00 P.M. for the Amended Preliminary Homestead Village Planned Unit Development (PUD) Plan to include the subdivision of two parcels from 4311 Watson Boulevard.  
Published & Posted on June 26, 2022

Kelly Sullivan, Bergmann Associates, representing the developer of Delaware River Solar, explained why they needed to subdivide the parcels.

Deputy Town Attorney Rosemarie Pope asked how they would come up with 2 tax map numbers.



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Ms. Sullivan said they would have their surveyors map it out and after the variance and subdivision are approved, they will file deeds with the County to separate the parcels.

Deputy Town Attorney Rosemarie Pope asked Ms. Sullivan if they would split the parcels and then file the deeds with the County with the condition that the property be brought back to one parcel after decommissioning.

Ms. Sullivan said yes, they would be filing the deeds with the County.

Councilman Thomas R. Augostini asked how many acres would each parcel be and if they would be clearing the total of 70 acres of trees.

Ms. Sullivan said the parcel sizes would be 37.1 and 32.8 acres. She said they have already cleared 40 acres in the fenced area and would only cut what is needed outside of the fence to prevent shade on the panels. She also said the acreage outside of the fence includes the access road.

Councilman Frank J. Bertoni questioned the additional acreage to be cleared.

Councilman Thomas R. Augostini said the panels will cover 49 acres inside the fence and 20 plus acres will be added outside. He asked if the outside acreage would be maintained.

Ms. Sullivan said they would be taken care of with mowing and landscaping.

At this time, Deputy Town Attorney Rosemarie Pope went through the SEQRA process that was originally approved on April 20, 2022 to review the revisions that were made because of the subdivision.

As no one else wished to speak, Supervisor Richard A. Materese closed the second Public Hearing.

## BIDS:

Bids were called for on Tuesday, July 12, 2022 for Dittrich Street Flood Pump Station Reconstruction.

Bids were received as follows:

G. DeVincentis & Son Construction	\$ 338,000.00
ProCon Contracting	\$ 348,000.00
Vacri Construction	\$ 361,000.00



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Moved by Augostini, seconded by Bertoni to receive and file the Bids for Dittrich Street Flood Pump Station Reconstruction.  
Carried.

## APPROVAL OF MINUTES:

Moved by Augostini, seconded by Bertoni to approve the Minutes of the Regular Town of Union Board Meeting held on Wednesday, June 15, 2022 and the Special Meeting held on June 22, 2022.  
Carried.

## HEARING OF VISITORS:

Linda Jackson, Village of Endicott Mayor, said Jeff Smith, of Endicott Proud and Endwell Rotary along with Diane Stefani, a retired Human Resources Executive from Lockheed Martin are starting a committee for green jobs in our area. The Pilot program will include businesses, trade unions, energy resources, universities, and schools in the area and will be partnered with the Broome County Work Force. She said we need to show people what jobs are available, train them for these jobs, as well as how to apply for positions and how to go to an interview. She said this will benefit the people, especially those in our disadvantaged communities. People will have an opportunity to apply for a good paying job even if they did not go to college. We want to revive interest in working in our manufacturing industrial campus. She said there are many entry level jobs that we can train people to apply for and if people can earn a decent wage, they can get off unemployment and/or welfare, no longer rely of the government and then raise their standard of living. Mayor Jackson stressed that one thing that is needed is safe, reliable and affordable day care and that people cannot afford to go to work if their whole salary goes to childcare. She said Ubiquity Solar plans on including a day care center in the Phoenix campus, which will include early education. But, we need a day care solution now. She said if anyone has any ideas of how to address this huge need, please contact her. She said to please contact the Broome County Workforce for job openings available in our area and that there are 500 openings to fill right now at the Phoenix campus with some being professional, but there are many that are entry level.

Mayor Jackson said they had a DRI meeting, and unfortunately SEPP did not get the funding for the apartments on the Avenue. She said if anyone knows of other grants to be used, to let her know. She stressed that we do not want to lose this project. We need these nice new apartments for the workers coming in to work at our industrial campus, make relationships with people on the Avenue. She said when they move and buy houses new people will rent the apartments and the circle continues.

Mayor Jackson said the ice arena is not a dead issue. We are looking to a group like 'Raise the Rink' or Score to take over and ask for donations. We appreciate the Town's offer to help



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as well as Christine Marchuska's family and others. She also thanked M&T Bank and Huron for the property given to them for the ice rink.

Supervisor Richard A. Materese said he applauds the efforts of Phoenix to have babysitting for their employees.

As no one else wished to speak, Supervisor Richard A. Materese closed the first Hearing of Visitors.

## COMMUNICATIONS FOR FILING:

Moved by Augostini, seconded by Bertoni to receive and file the following Communications:

1. Letter from New York State Department of State notifying that Town of Union Local Law #3 2022 – Addition of Overlay & Special Purpose Districts – Cannabis Overlay has been filed.
2. Village of Endicott Minutes – May 2 & 16, 2022.
3. Letter from Ed Stellman, a resident, with concerns about drug and criminal activity at the Knights Inn, E. Main Street, Endwell.
4. Union Volunteer Emergency Squad, Inc. – Monthly Financial Report – May 2022.
5. 239 Review Submission Form – Village of Johnson City - Local Law amending Chapter 300 of the Village Code regarding signs.
6. Letter from State of New York Department of State, stating Local Law #2022-4 – Speed Zone Change on Farm to Market Road and Struble Road, was filed on June 16, 2022.
7. 239 Review Submission Form – Village of Endicott, Amending the Table of Allowed Uses in the Commercial Zoning Districts.
8. 239 Review Submission Form – Town of Maine, Local Law Effecting a Temporary Moratorium – Development and Construction of Wind Energy Conversion Systems. Carried.

## COMMUNICATIONS FOR ACTION:

1. Moved by Augostini, seconded by Bertoni to refer the Email from Victor Mehal, 2712 Magnolia Street, Endwell, requesting reimbursement for damage to his brick mailbox that was



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hit by a Town of Union snow plow on January 18, 2022 to Town Attorney Alan J. Pope, Commissioner of Public Works Louis V. Caforio and the Town Insurance Carrier.  
Carried.

2. Moved by Augostini, seconded by Bertoni to approve the letter from JoAnn Navarro, 3516 Ulmer Street, Endwell, requesting a small portion of Douglas Drive, Endwell, be closed for a block party on July 23, 2022 from Noon to 8:00 PM, and refer it to Commissioner of Public Works Louis V. Caforio and Town Clerk.  
Carried.

3. Moved by Augostini, seconded by Bertoni to retroactively approve the letter from Robert O. Brady, Fire Company President, O.L. Davis Fire Company, Inc., requesting to use a town garbage truck at their annual ice cream social being held on Wednesday, July 13, 2022 from 5:00 PM to 9:00 PM, and refer it to Commissioner of Public Works Louis V. Caforio and Deputy Commissioner of Public Works-Environmental Services Daniel A. Schofield.  
Carried.

PETITIONS:           None.

## COMMITTEE REPORTS, RECOMMENDATIONS AND RESOLUTIONS:

Moved by Staley, seconded by Augostini to approve the following 2022 Budget Transfers:

Decrease:	31 5110 2500	Other Equipment	\$75,000.00
Increase:	31 5110 4106	Diesel	\$75,000.00
Decrease:	20 8160 4513	County Tipping Fee	\$20,000.00
Increase:	20 8160 4099	Temporary-Non PR	\$20,000.00
Decrease:	31 5110 2500	Other Equipment	\$10,000.00
Increase:	31 5110 4408	Tree Removal	\$10,000.00

Carried.

Moved by Staley, seconded by Augostini to approve the following 2022 budget transfers from the June 30, 2022 budget

Org	Object	Project	Description	Increase	Decrease
10 1010	4104		Books, Periodicals & Subscript	240.00	-
10 1110	4512		Consultant	2,500.00	-
10 1315	4516		Inter-net Services	2.35	-
10 1355	1040		Overtime	250.00	-
10 1410	4516		Inter-net Services	0.16	-
10 1620	1030		Temporary	75.00	-
10 1622	4201		Telephone	1,200.00	-



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10 1680	1030		Temporary	1,575.00	-
10 1680	1040		Overtime	300.00	-
10 1680	4601		Travel & Expense Reimb	480.00	-
10 1910	4309		Miscellaneous Insurance	4,645.00	-
10 1989	4000		Miscellaneous Bonding Exp	2,601.86	-
10 1989	4516		Inter-net Services	29.98	-
10 6989	4104		Books, Periodicals & Subscript	28.65	-
10 7145	1036		Seasonal - Winter	250.80	-
10 7145	4159	BK101	Battle of Kids Supplies	315.00	-
10 7145	4159	TB107	T-Ball Supplies	979.00	-
10 7145	4159	SS108	Spring Soccer Supplies	1,090.25	-
10 7145	4159	SF111	Summer Fun Supplies	3,500.00	-
10 7145	4403	SF111	Summer Fun Printing	297.00	-
10 7145	4462	JULY4	4th of July Special Event	1,240.00	-
10 7145	4516		Inter-net Services	3,405.26	-
20 1989	4000		Miscellaneous Bonding Exp	17,411.68	-
20 3620	1090		Health Insurance Buy Out	625.00	-
20 3620	4400		Software Maintenance	208.50	-
20 3620	4423		Property Maintenance	8,200.00	-
20 5010	4516		Inter-net Services	500.00	-
20 8120	4516		Inter-net Services	40.00	-
40 7110	4000		Miscellaneous Bonding Exp	11,164.12	-
40 7110	4011		OSHA	46.46	-
40 7110	4309		Miscellaneous Insurance	4,730.00	-
40 7110	4512		Consultant	801.08	-
10 1410	4403		Printing	-	0.16
10 1315	4101		Office Supplies	-	2.35
10 6989	4601		Travel & Expense Reimb	-	28.65
20 8120	4620		Education	-	40.00
10 1620	1040		Overtime	-	75.00
20 3620	4401		Equipment Maintenance	-	208.50
10 1010	4601		Travel & Expense Reimb	-	240.00
10 1355	1030		Temporary	-	250.00
10 7145	1038		Seasonal - Summer	-	250.80
10 7145	4403		Printing	-	297.00
10 1680	4139		Computer Ribbons	-	300.00
20 5010	4401		Equipment Maintenance	-	500.00
20 3620	1040		Overtime	-	625.00
10 1622	4202		Electricity	-	1,200.00
10 7145	4462		Special Event Service	-	1,240.00
10 1680	4400		Software Maintenance	-	2,055.00
10 1110	4601		Travel & Expense Reimb	-	2,500.00



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10 1989	4805	Audit & Accounting	-	2,631.84
10 7145	4159	Recreational Supplies	-	5,884.25
10 9060	8004	Health Insurance	-	8,050.26
40 9060	8004	Health Insurance	-	16,741.66
20 9060	8004	Health Insurance	-	25,611.68
				<hr/>
			68,732.15	68,732.15

Carried.

(Prepared Resolution filed as part of these minutes to approve the amendment to the original GHD Contract for the Taft Heights Area Collection Systems Improvements Evaluation.)  
Res. by Staley, seconded by Augostini. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve Change Order #1 (one) for the Shady Drive project in the amount of \$2,677.00 thus increasing the project total to \$147,421.00. The project increase is due to field changes approved by our Assistant Engineer.)  
Res. by Staley, seconded by Augostini. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes authorizing Deputy Comptroller Gina Paugh, be assigned as the second signer on all accounts payable and payroll checks. This includes accounts at JP Morgan Chase, Tioga State Bank, and M&T Bank.)  
Res. by Staley, seconded by Augostini.  
The Resolution was adopted.

A proposal was received from Delta Engineers for providing Asbestos Surveys at the Town of Union Office Building, Highway Garage and the Justice Building, in the amount of \$14,979.00.

(Prepared Resolution filed as part of these minutes to award the proposal for providing Asbestos Surveys at the Town of Union Office Building, Highway Garage and the Justice Building to Delta Engineering for the amount of \$14,979.00, to be paid from ARPA Lost Revenue Funds.)  
Res. by Staley, seconded by Augostini. Vote: All yes.  
The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to reject the Bids for Dittrich Street Flood Pump Station Reconstruction.)



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Res. by Staley, seconded by Augustini.  
The Resolution was adopted.

Vote: All yes.

Moved by Bauman, seconded by Staley to authorize bids for carousel Painting and Minor Repairs  
Carried.

Moved by Bauman, seconded by Staley to accept the donation of a Wurlitzer Organ for Highland Park from the Endwell Rotary at a dedication ceremony to be held on Sunday, July 24, 2022, at a time to be determined. The Rotary would like to have a food truck available at the event and hold a raffle throughout the day.  
Carried.

Supervisor Richard A. Materese clarified that the organ will be insured, and stored by Endwell Rotary when it is not in use at Highland Park.

(Prepared Resolution filed as part of these minutes authorizing the purchase of a 60" Rear Discharge Zero Turn Riding Mower on the State Contract for a price of \$11,236.72. This is to come out of the Capital line item.)

Res. by Bauman, seconded by Staley.  
The Resolution was adopted.

Vote: All yes.

(Prepared Resolution filed as part of these minutes to hire Laura Lindsley on a part-time temporary basis with a start date of July 25, 2022 for up to 19.5 hours a week to assist with the budget preparations at an hourly rate of \$85.00 per hour.)

Res. by Bauman, seconded by Staley.  
The Resolution was adopted.

Vote: All yes.

(Prepared Resolution filed as part of these minutes to authorize a 10% increase in pay for Mary Bricker to take over as IT Contact for the Town.)

Res. by Bauman, seconded by Staley.  
The Resolution was adopted.

Vote: All yes.

Moved by Augustini, seconded by Bertoni to accept the Change of Zone Petition from Urban Single-Family (USF) to General Commercial (GC) for 2 S. Knight Avenue, and to refer it to the Planning Department to make all necessary referrals under Section 239-l, m and n, and to forward the rezoning petition to the Planning Board for an advisory opinion.  
Carried.





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(Prepared Resolution filed as part of these minutes to declare Lead Agency for the petition to rezone 2 S. Knight Avenue from Urban Single-Family (USF) to General Commercial (GC), and to declare the project an Unlisted Action under SEQRA.)

Res. by Augostini, seconded by Bertoni.

Vote: Yes  
Bauman  
Augostini  
Staley  
Materese  
No  
Bertoni

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to make a Negative Declaration under SEQRA, for the Homestead Village PUD Preliminary Development Plan, per evaluation of the submitted Full Environmental Assessment Form, Broome County 239-Review comments, and the Planning Board's Advisory Opinion.)

Res. by Augostini, seconded by Bertoni.

Vote: Yes  
Staley  
Bauman  
Materese  
No  
Bertoni  
Augostini

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve with conditions the Homestead Village PUD Preliminary Development Plan which should contain an additional agreement or paperwork as part of the decommissioning plan that the two properties revert back to a single lot.)

Res. by Augostini, seconded by Bertoni.

Vote: Yes  
Staley  
Bauman  
Materese  
No  
Bertoni  
Augostini

The Resolution was adopted.

Moved by Augostini, seconded by Bertoni to accept bids for Town of Union Surplus Property Auction for the following properties:

43 Endicott Avenue, Johnson City, NY 13790 for the sum of \$1,250.00 to John Fedourich of 39 Endicott Avenue, Johnson City, NY 13790.



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303 Oakdale Road, Johnson City, NY 13790 for the sum of \$3,100.00 to Clifford Bidwell of 301 Oakdale Road, Johnson City, NY 13790.

Carried.

(Prepared Resolution filed as part of these minutes to award the Bid for Town Surplus Properties Auction – 43 Endicott Avenue, Johnson City to John Fedourich for his bid price of \$1,250.00, subject to a 30-day permissive referendum.)

Res. by Augostini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to award the Bid for Town Surplus Properties Auction – 303 Oakdale Road, Johnson City to Clifford Bidwell for his bid price of \$3100.00, subject to a 30-day permissive referendum.)

Res. by Augostini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

(Prepared Resolution filed as part of these minutes to approve the Community Development Block Grant Federal Fiscal Year 2022 Annual Action Plan as recommended by the Citizens Advisory Council for Community Development and authorize the Supervisor to execute any and all documentation required to submit said plan to HUD.)

Res. by Augostini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

Councilman Thomas R. Augostini thanked the Citizens Advisory Council for Community Development for putting in the work for a successful plan.

(Prepared Resolution filed as part of these minutes to approve an increase to the Shady Drive Street Reconstruction for removal and replacement of asphalt pavement. An additional amount to be determined by the Commissioner of Public Works is requested to complete the Shady Drive project. Additional funding will come from the Home Improvement and Demolition clearing account FFY 2018-2020 IDIS #1630 & #1633.)

Res. by Augostini, seconded by Bertoni.

Vote: All yes.

The Resolution was adopted.

Moved by Augostini, seconded by Bertoni to appoint Colleen Curtin to the Planning Board to fill the remainder of the unexpired term of Kirsten V. Rose.

Carried.



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## HEARING OF VISITORS:

John M. Bernardo, Director of SEPP, thanked the Town Board for not only proposed funding, but for previous years of funding. He said last year's funding supported Nichols Notch and the prior year was for the Wells property in Johnson City. He said the support in that regard, and for the Washington Avenue project, is greatly appreciated.

As no one else wished to speak, Supervisor Richard A. Materese closed the second Hearing of Visitors.

## DEPARTMENT REPORTS ON FILE IN THE TOWN CLERK'S OFFICE:

Moved by Augostini, seconded by Bertoni to receive and file the following Department Reports:

1. Town of Union Planning Board Decision – Application # PB-2022-17A, Special Use Permit Approval, The Bright Side Café, 519 Hooper Road, Tax Map #142.09-7-33.
2. Town of Union Planning Board Decision – Application # PB-2022-17B, Site Plan Review, the Bright Side Café, 519 Hooper Road, Tax Map #142.099-7-33.
3. Town of Union Planning Board Decision – Application # PB-2022-19, Special Permit for Development in a Floodplain, Location of an Off-Premises Sign, Park Outdoor, 3502 Argonne Avenue, Tax Map #158.05-4-55.
4. Town of Union Planning Department Decision – Minor Site Plan Approval – Verizon Wireless 15 Mills Avenue, Endicott, Tax Map #156.11-47.1.
5. Permits Report – June 2022.
6. Town of Union Citizen's Advisory Council for Community Development regular meeting minutes – June 1, 2022.  
Carried.

Councilman Frank J. Bertoni said he participated in the Maggie Memorial Run and that it was a fun time that raised money for the Wyoming Conference Children's Home.

Councilman Thomas R. Augostini thanked the Parks Department for a great job with the 4<sup>th</sup> of July Extravaganza.



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Supervisor Richard A. Materese also thanked the Parks Department along with the Highway Department, Endwell Fire Department for their participation & protection, Union Volunteer Emergency Squad and the New York State Police.

He said the Fitness Park at Floral Park was officially dedicated with a ribbon cutting ceremony yesterday, July 12, 2022.

## ADJOURNMENT:

Moved by Augostini, seconded by Bertoni to adjourn the meeting.  
Carried.

The meeting was adjourned at 8:02 P.M.

Leonard J. Perfetti  
Town Clerk

LJP/bk